

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JAMES E. QUINN JR. AND MAUREEN
KATHLEEN QUINN,

PLAINTIFFS,

CIVIL ACTION No. 04-73418

V.

HONORABLE ARTHUR J. TARNOW
UNITED STATES DISTRICT JUDGE

SEA LINK TOOL & MANUFACTURING
COMPANY, L.L.C., *ET AL.*,

DEFENDANTS.

**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT [D/E # 40],
DENYING PLAINTIFFS' MOTION TO SUPPLEMENT [D/E # 48],
AND CLOSING PLAINTIFFS' MOTION TO COMPEL [D/E # 45]**

Having considered the parties' motions, briefs and positions presented during oral argument on October 10, 2006,

IT IS HEREBY BY ORDERED that Plaintiffs' Motion to Supplement their Response to Defendant's Motion for Summary Judgment is **DENIED** because Plaintiffs' late filing left Defendants unable to respond. As a result, this Court did not consider Plaintiffs' Motion to Supplement when ruling on Defendants' Motion for Summary Judgment.

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment be **GRANTED IN PART** and **DENIED IN PART** for the reasons set

forth on the record. As stipulated, Spearing Tool & Manufacturing Company, L.L.C. is **DISMISSED** from this case **WITH PREJUDICE**. Sea Link Tool & Manufacturing Company, L.L.C. however remains as a defendant.

IT IS FURTHER ORDERED that Plaintiffs' Motion to Compel was addressed by the Court at the October 10, 2006 hearing. The motion should be **ADMINISTRATIVELY CLOSED** since both parties agreed to extend discovery for 90 days to conduct depositions.

IT IS SO ORDERED.

s/Arthur J. Tarnow

Arthur J. Tarnow

United States District Judge

Dated: October 11, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 11, 2006, by electronic and/or ordinary mail.

s/Theresa E. Taylor

Case Manager